



HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

GREGORY ACCARINO
Senior Counsel
phone: (212) 356-1945
gaccari@law.nyc.gov

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

March 20, 2024

BY ECF

Honorable Katherine H. Parker
United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Kwaine Thompson v. City of New York, et al.
22 Civ. 1458 (JPO) (KHP)

Your Honor:

I am a Senior Counsel in the office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, and the attorney assigned to represent defendants City of New York, Katrese Brumfield, Jessica Simmons, Debbie Palmer-Campbell, Tiffany Francis, Chandra Davis, and Tony Montague (“defendants”) in the above-referenced matter. The defendants write to respectfully request that the Court’s March 5, 2024 Order be deemed satisfied by the defendants sending the video evidence ordered to be produced to plaintiff to plaintiff’s newly assigned counsel, Mr. Sami Elamad, instead of directly to plaintiff. See ECF No. 102, March 5, 2024. Plaintiff’s counsel has no objection to this request.

By way of background, on March 1, 2024, plaintiff, proceeding *pro se*, informed the Court that he moved to another correctional facility, and the U.S.B. and DVD’s containing media evidence, were left behind. See ECF No. 100, Letter, March 1, 2024. On March 5, 2024, this Court ordered the defendants to provide plaintiff copies of the video evidence to his new address. See ECF No. 102, Order, March 5, 2024. The undersigned was out of the office on leave from March 1, 2024 through March 13, 2024, and upon my return, I was contacted by Mr. Elamad who informed me that he might be representing plaintiff in this matter. The undersigned conferred with Mr. Elamad, who filed a notice of appearance in this matter on March 20, 2024, indicating that he was representing plaintiff *pro bono*. See ECF No. 105, Notice, March 20, 2024. On March 20, 2024, the undersigned sent Mr. Elamad all of the discovery in this matter, including the video evidence ordered to be provided to plaintiff, instead of directly to plaintiff.

Accordingly, the defendants respectfully request that the Court's March 5, 2024 Order be deemed satisfied by the defendants sending the video evidence ordered to be produced to plaintiff to plaintiff's newly assigned counsel, Mr. Sami Elamad, instead of directly to plaintiff.

The defendants thank the Court for its consideration.

Respectfully submitted,

/s/ Gregory J.O. Accarino

Gregory J.O. Accarino

Senior Counsel

Special Federal Litigation Division

Cc: **By ECF:**
Sami Elamad, Esq.
Attorney for Plaintiff